

GRANT COUNTY PLANNING COMMISSION

TRANSCRIPT

OF

PUBLIC HEARING

Zoning Map Amendment

A-1 TO HC - BARNES ROAD DEVELOPMENT LLC

Date: January 24, 2005

Time: 7:00 p.m.

Place: Grant County Courthouse
101 North Main Street
Williamstown, Kentucky 41097

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APPEARANCES:

2

Jonathan S. Britt, Planning Director/Administrator

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Thomas Nienaber, Attorney

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4 Ray Erpenbeck, Engineer
5 Becky Ruhoff, Office Manager

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8 COMMISSION MEMBERS

9

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17 Marlon Kinsey

18 Dan Scroggins

19 Howard Brewer, Jr.

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1 ITEM NUMBER 5

2 MR. CHAIRMAN: Item Number 5 on the agenda,
3 public hearing for a Zoning Map Amendment,
4 Agricultural-1 to Highway Commercial, Barnes Road
5 Development LLC. It's Barnes Road Development LLC or
6 a representative thereof. If all the fees have been
7 paid and the proper notification been given, we'll
8 declare the public hearing open. You gentlemen can
Page 2

9 state your name for us if you don't mind when you
10 come up there, and...

11 MR. BERLING: My name is Jim Berling. I'm the
12 engineer for this particular development. I'm also
13 one of the partners in the ownership. This is a
14 piece of property on the north side of Barnes Road.
15 It runs from I-75 all the way over to Arnie Risen
16 highway. You all have probably seen us moving dirt
17 there.

18 we've got an excavation permit, and we've been
19 trying to improve the property some since we bought
20 it. The plan we made was so big, about 8 feet long,
21 on a scale of one inch equals 100 feet, it's well
22 over 3,000 foot frontage there on that road. We
23 bought it with the development in mind, and what
24 you're seeing there, we want to do commercial
25 development on it.

3

1 when we did buy the property, the library parcel
2 was already promised to the library, and we worked
3 around that, and we had to work with the library to
4 try to do our -- do our thing and not interfere with
5 what they wanted to happen in there.

6 we got -- we owned the property before the
7 interchange was started. When the interchange was
8 built, there was some -- some extra dirt available if
9 a fellow was willing to pay the highway contractor to
10 bring it into the site, and we did that, and we were
11 able to build a roadbed through there.

12 we tried to work pretty close with the highway

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13 department trying to encourage the reconstruction of
14 Barnes Road up through that area, and we were -- I
15 thought we were doing pretty well, and that just kind
16 of stalled out.

17 Most of you know the Kentucky Highway
18 Department's a little strapped for funds right now,
19 and -- but we did, through our own efforts, build a
20 roadbed through there and widen up the three-lane
21 road to relocate the Barnes Road at some point when
22 it's time.

23 we'll make sure that gets built and somebody
24 will contribute, but we'll get it built one way or
25 the other. That plan might look a little ambitious

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1 to you.

2 As you start from down at the -- at the
3 interchange, the first four or five of those are
4 already graded.

5 we tried to design the plan in such a way that
6 it was orderly, and that the curb cuts were orderly.
7 You'll notice we have a major entry across from the
8 entrance there to St. Elizabeth's Hospital, and the
9 other one -- the other major entry point is across
10 from the detention center.

11 We see excavating that ridge extensively and
12 moving that earthen material out next to Barnes Road
13 to do what you see here. That will give us the
14 opportunity to do some major development back on the
15 ridge. We show two large users back there and
16 anticipate there will be three, if you put a little
17 note there on the end of that ridge, and future

18 commercial development, we really anticipate that
19 there will be three there.

20 We can see signalizations at those two major
21 entry points that I just spoke of and probably one
22 more with traffic signals, and I think Mr. Britt
23 is -- has looked at some of those traffic patterns.
24 And we've had good conversation with Mr. Britt on a
25 preapplication meeting, and he gave us some guidance

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1 as to how we should approach this development as far
2 as meeting in front of you.

3 It's our first time in front of your commission,
4 and we -- we want to do a good job in Williamstown.
5 We would like to -- we like to be proud of what we
6 do. We know that this is a big undertaking, moving
7 all that material out there, and when we first looked
8 at it we -- it didn't look like it was feasible, but
9 we do believe it's feasible, and the interchange made
10 all the difference.

11 We got -- those of you who know the property
12 know that we got two major power lines through there
13 we're going to have to relocate in order to do this.
14 We've already moved Owen County's power line up to
15 the edge of that roadbed. That's the reason we had
16 to build the roadbed. We couldn't put any filling
17 material in there until we got Owen County's line out
18 of there, and they wouldn't move until they knew they
19 were going to move too, so we had to build the road
20 to get them up on the shoulder. The other one
21 they're working with now, but we've -- it's just

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22 going to be an ongoing thing, but we'll get it all
23 accomplished.
24 There were some traffic concerns by Mr. Britt,
25 and we do a lot of business with Jack Gehrum; he's a

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1 traffic engineer, and Jack was willing to get
2 involved and put together what we could on reasonably
3 short notice. But he did -- he did experience the
4 traffic, and he's got -- he's got some things that
5 I'd like him to tell you about the traffic and where
6 you'll see the different patterns and what can be
7 done to make it flow smooth.

8 I guess that's about what I have. I don't know
9 your procedure, if you want to ask questions or you
10 want me to bring Jack up now or --

11 MR. CHAIRMAN: We'll ask anybody else if they'd
12 like to speak to it, and then you may be answering
13 questions.

14 MR. BERLING: Well, let me introduce the rest of
15 the team, and I guess I've got Jack Gehrum who's
16 going to be the traffic engineer and David Heidrick
17 who is one of the partners in the development who may
18 want to speak.

19 MR. CHAIRMAN: Thank you.

20 MR. HEIDRICK: Thank you, sir. David Heidrick
21 with the developer. Just a couple of things I think
22 are important at these meetings sometimes I mention
23 is, why is this zone change under the law justified
24 and how is it in conformance with the comprehensive
25 plan or not in conformance with the comprehensive

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1 plan? It's my understanding the comprehensive plan
2 calls for this property to be residential in use.
3 Certainly it's not a residential use that we're
4 recommending. However, the comprehensive plan was
5 adopted, as I understand, in 2001. While that
6 interchange there on the expressway has been on the
7 books for a long time, I think it's been on the books
8 for so long that most people, or a lot of people,
9 thought it never really would happen. Needless to
10 say, there's been some significant changes in this
11 area since the adoption of the comprehensive plan,
12 most notably the intersection added.

13 Additional changes include what Mr. Berling
14 mentioned, that is the availability of close to
15 400,000 yards of material at any cost. The fact that
16 there was material there, access from that
17 intersection was not something that I think was
18 anticipated at the time of the comprehensive plan.
19 Without that material that would still be a hole in
20 the ground.

21 There's new sewer capacity that's been added by
22 the City of Williamstown through that whole site, and
23 most recently the passage of a liquor-by-the-drink
24 ordinance I think is also something that was probably
25 not fully anticipated in the 2000 plan. So for those

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1 reasons we think it's proper that the zone change can
2 fall under the category that it's part of the plan
3 that wasn't anticipated in 2001.

4 A couple other things that were just mentioned
5 in some of the conversation with staff include
6 concerns over water and sewer capacity, and we have
7 talked with the -- whose name I just left. Brian.
8 Everybody here knows Brian.

9 MR. BERLING: Gatewood.

10 MR. HEIDRICK: There we go. I talked with
11 Brian, who has reviewed the plans, not only for this
12 commercial development but for the residential
13 development that we'll be discussing next, and he has
14 assured me and authorized me to at least report to
15 you that he has no problems with capacities both from
16 water and sanitation on both of these projects.

17 On Barnes Road there is a 6-inch line that runs
18 along Barnes Road. He tested three meters and found
19 all of them to have lots of flow. There is a 10-inch
20 line down at Arnie Risen, and there's an 8-inch line
21 over on Kimberly that serves as a senior citizen
22 center back there. So water is not an issue.

23 We discussed sewer being new. Jack's going to
24 discuss traffic here in just a second. I just wanted
25 to at least make sure that we address it the best we

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1 could for Jonathan some of the comments that you
2 made. I guess it would probably be best to have Jack
3 report on traffic.

4 MR. CHAIRMAN: Thank you.

5 MR. GEHRUM: Thank you. My name is Jack Gehrum,
6 vice president with Edwards and Kelcey. I have a
7 traffic study here, and I brought copies if you want
8 to distribute them. I'll try to be brief. They tend

9 to get a little tricky sometimes with all the data
10 that you find in there. But I'll try to cover what
11 we went through and what we're saying in terms of
12 evaluation of the plan.

13 One of the first things we did, of course, was
14 to go out, get familiar with the site and --

15 MR. CHAIRMAN: Speak in the mic a little more.

16 MR. GEHRUM: -- do some traffic counts so that
17 we had some numbers to work with and know what's out
18 there and what is currently being done. All that
19 work was really done at the evening peak hour, which
20 we felt was going to be the largest impact to a
21 development such as this. We also did a forecast of
22 the trip generation for the uses that we kind of
23 assumed and would like to see on this particular
24 site.

25 And then we looked at the access points that are

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1 shown on the plan. If you look at those, you'll see
2 that they're really a series of shared access points.
3 While there is a total of six along Barnes Road
4 serving that development from the interstate on up,
5 what you'll see is that there are a variety of uses
6 in groups, each group then being served by a shared
7 access point.

8 And if you look at each one of those, did the
9 trip generations for each of those, and then
10 typically you go through and do an evaluation as to
11 what's called the level of service to see how
12 those -- each of those drives would operate given the

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13 traffic conditions and full development conditions.

14 For this analysis we assumed that we would have
15 a left turn lane along Barnes Road to serve into the
16 development. We also made some assumptions as to
17 what those trips would be coming in and out of there,
18 and we were able to determine that even as an
19 unsignalized, each one of them would be able to
20 achieve a level of service C. And if you're familiar
21 with level of service, basically A being a free flow
22 or the best possible condition, F being, of course, a
23 gridlock condition, and level of service C typically
24 is the design level of service that is used for
25 design of intersections.

11

1 Some of the other issues talk about there is
2 obviously some concerns of safety, particularly at
3 the existing signalized intersection with the
4 railroad tracks and Arnie Risen. What we were
5 looking at is very easily the signals. The existing
6 signal and a new signal could be placed and work in
7 tandem with the railroad interconnect. The idea
8 being is that you could control the cross flow, let's
9 say on Arnie Risen, and at the same time provide the
10 safety for the railroad, so if a train comes you have
11 a preempt, and both signals would react; you'd have
12 time for the vehicles to move through and get off the
13 tracks, but it would control the side movements and
14 so on. And that's typically done in a lot of
15 instances with the railroad.

16 The other thing, and I just kind of dealt with
17 it separately, because it's on the other side of the

18 library, but we went through the same gyrations,
19 looked at the trip generation, looked at the driveway
20 access points, and also looked at the level of
21 service. And again that level of service is typical
22 of the other drives that are showing up at this -- on
23 the rest of Barnes. So we feel that basically we're
24 doing a good job in trying to share driveways and
25 trying to minimize them, but at the same point

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1 provide an access that is usable, that will not
2 become in the future overcrowded, will not create
3 long delays, and as Jim said, in the future it would
4 be very advantageous to look at signalization as the
5 project gets to a full buildout. The mechanism is
6 there; the drives are located to serve both the
7 development on our side of the street, as well as the
8 developments on the other side of the street. So it
9 begins to help some of the existing community.

10 In a nutshell, that's it, and I'll be glad to go
11 through anything specific if you have any questions.

12 MR. BRITT: Just one quick question. The
13 evaluation or the analysis, it says on the front page
14 that it was intended to meet the requirements of a
15 PUD zone. This is obviously not a PUD zone. This is
16 a Highway Commercial zone. Is it -- I'm just trying
17 to -- what's the analysis --

18 MR. GEHRUM: It's the terminology.

19 MR. BRITT: Okay.

20 MR. GEHRUM: The process is the same. I've just
21 mistaken that.

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22 MR. BRITT: I just want to make sure, because
23 we are talking about two projects that are very
24 similar, very close in size and very -- just that the
25 analysis for this particular one is for the Highway

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1 Commercial uses.

2 MR. GEHRUM: Okay. Well, it would be the same
3 in either case.

4 MR. CHAIRMAN: Thank you.

5 MR. GEHRUM: Okay.

6 MR. CHAIRMAN: This is a public hearing. Would
7 anyone like to speak to this zone change in any way,
8 now's your opportunity; step up to the microphone,
9 give us your name and you can ask questions, voice
10 your concerns, or sing their praises. Just give us
11 your name if you don't mind when you step up there.

12 MS. CARON: Hi, my name is Barbara Caron. I'm
13 the director of the Grant County Public Library, and
14 since we're in the middle of this project, which
15 we're really excited about the potential for us, we
16 would really request that we be kept informed,
17 because people ask us all the time what's happening
18 and we ask each other all the time what's happening,
19 and my best source of information is the post office,
20 and it's not that good a source of information.
21 Thank you.

22 MR. CHAIRMAN: Okay. Anyone else like to speak
23 to this zone change in any way, either for or
24 against?

25 (NO RESPONSE)

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1 MR. CHAIRMAN: Seeing no one, we'll declare the
2 public hearing closed, refer it to the commission for
3 their questions and discussion. I'll ask, what's the
4 status of the -- somebody said what the status of the
5 highway was right now; does that mean the new Barnes
6 Road change, you know, the relocation of it? Is
7 that -- is anyone working with the state on that; is
8 that what it is? I'm not -- I didn't -- I missed
9 that part.

10 MR. BERLING: We prepared a plat to show a
11 three-lane road through there. We believe that it
12 should be three lanes all the way through, which
13 would give you alternate left-hand turns for our side
14 as well as the other side. The highway department
15 approved that plan. They allowed us to build the
16 roadway embankment and build it on our own property.

17 We have offered the right-of-way to the state.
18 They're in the process of looking at it, trying to --
19 I'm just trying to push it along, whatever it takes.
20 I know if you do some things like that sometimes that
21 particular project's a little more attractive to them
22 if they didn't have to buy a right-of-way, and they
23 didn't have to move the dirt; that's surely a leg up
24 on the thing. But we made sure that the alignment
25 was satisfactory to them going in, but at some point

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1 it has to be funded yet, and it has not been funded.
2 But we will continue to work to accomplish that, you
3 know, and I know that this development depends on

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4 that. We wouldn't -- we wouldn't expect this full
5 development to occur unless that road's built,
6 because if we've got to build it ourselves, whatever
7 it takes.

8 But we would -- if we got to talking about some
9 of that, what we were saying is if the zone change
10 occurs and if the state don't get any more aggressive
11 than they have been, we would like the opportunity to
12 maybe do half of the development or something like
13 that with the curb cuts on existing roads until such
14 time as that new road is built. We wouldn't expect
15 to do the full development, but I'm sure there's some
16 things that we could do that wouldn't have a very big
17 impact on that, and that could be discretionary.

18 But we need to ask -- you know, you need to see
19 a complete plan, we need to ask for a complete zone;
20 hopefully we'll get this thing up and running
21 quickly, and whatever the conditions you put on us,
22 we'll take.

23 MR. CHAIRMAN: Okay.

24 MR. BRITT: What's the estimated total cost of
25 the roadway, do you know? And did you calculate, by

16

1 any chance, the current level of service of Barnes
2 Road?

3 MR. GEHRUM: No, I didn't. There really isn't
4 any access points on our side, so we didn't -- didn't
5 look at it. (INAUDIBLE).....

6 MR. CHAIRMAN: Any commission members have
7 anything?

8 MR. WEBSTER: I understand it's going to be a
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9 three-lane road. I understood the gentleman to say
10 that he would like to see it built, depending on a
11 lot of things, with the highway department, whatever,
12 but I didn't understand for sure when you think it'll
13 be built. I'm a little dense, so I just need
14 clarification.

15 MR. BERLING: Well, I don't know how it's going
16 to happen either. I have seen it done several ways.
17 I participated in some projects in the northern part
18 of the state here, up in Kenton County. We did two
19 of them. We did one called Horse Branch Road. The
20 hospital wanted to come out of Fort Mitchell and run
21 that new road up the back way out of Covington to get
22 to the hospital. Well, they wanted to do it real
23 bad, but they couldn't come up with the money. They
24 put up like 200,000, another developer in there put
25 up a few hundred thousand, and the state put up

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1 400,000, the county put up 400,000, and all of a
2 sudden we had enough money. And we used the fiscal
3 court as the agent to receive that money, put
4 together a project, bid it and built it, you know,
5 and then it was done again when they rebuilt Thomas
6 More Parkway. It can be done.

7 The other way is if the state takes it on as
8 their project and builds it, but sometimes you get
9 hung up in what they call a six-year program, and
10 things don't move so fast. But we'll explore every
11 avenue to get it done.

12 But I think this is a good project for the

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13 state, and I think that it's something that they'd
14 like to see, and they've got economic development
15 committees and everything else, and I don't know how
16 it's going to happen. But I wouldn't expect you to
17 allow me to build this full development until that
18 road gets in, but I'd like to be able to build about
19 half of it.
20 MR. SCROGGINS: I think it would be difficult to
21 feasibly build it without having the road, because
22 whether you build all of it or you build half of it,
23 you're still going to have a -- you're still going to
24 have a significantly larger traffic flow on -- even
25 if you build half the road, a road that -- I mean, I

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1 travel on that road every day to get to my office,
2 and it is inadequate for the amount of traffic that's
3 on it now. So if you build half a road, three lanes,
4 and then cut it off say at the jail, then you've got
5 the same old Barnes Road all the way up to Arnie
6 Risen. I mean, you've still got barely a two-lane
7 road --

8 MR. BERLING: Well, let me --

9 MR. SCROGGINS: -- servicing a significantly
10 increased traffic flow.

11 MR. BERLING: Let me try to simplify it a little
12 bit. It's hard building half a road. It's like
13 digging a half a hole, I guess, you know. You've
14 either got a road or haven't got a road.

15 MR. SCROGGINS: Well, I understand, but you
16 said, you know, if you couldn't get funding for the
17 whole road, you'd like to get funding for part of the

18 road.

19 MR. BERLING: No. No, when you get the funding,
20 we'll build it all. I'm saying under existing
21 conditions. Look at that little drawing you have
22 there for a minute. And these are samples of what
23 could be there. You start at the interchange, and
24 you've got the first little red building, and then
25 the second one and then the third one. Between the

19

1 third one and the fourth one, we've got an access
2 that would serve all four of those at one point.
3 That access was placed at the end of the controlled
4 access that was established by the state and the
5 federal highway. Nobody can enter Barnes Road until
6 you get that far away from the interstate. So that's
7 a given; that's where we're going to come in. That's
8 built there today.

9 what I'm saying is those first four lots could
10 be developed off of the new road as it's built there
11 today, and the primary access for that would be
12 coming off the interstate. So I'd like to be able
13 to -- let's simplify it. I'd like to be able to do
14 those first four users that I've got shown there,
15 because that part of the road is done.

16 MR. SCROGGINS: Well, what would you do if that
17 increased the traffic from the other end? Because
18 it's going to. It's -- I mean, people from
19 Williamstown aren't going to drive to Dry Ridge to
20 get on the interstate or drive down to the other
21 interstate and drive north to get off at Barnes Road.

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22 If they want to go to your establishments, which
23 hopefully they will, because that's going to be
24 business for you, they're going to come down Barnes
25 Road, and Barnes Road can't handle it. It can't

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1 handle the traffic that it's got now. I mean, don't
2 get me wrong, I'd love to see this built, but, you
3 know, I can't see -- I can't see increasing the
4 traffic flow on an already inadequate road.

5 MR. BERLING: Well, I don't know what to say
6 there, except I don't know if we could give you
7 support documents that shows that it could work, and
8 it could work maybe if we do two of them. What I'm
9 trying to do is be able to sell a little something to
10 get some money to build a whole road, if you want to
11 know the truth. I mean, you know, this is -- this is
12 a big outlay of money on the front end, and I mean,
13 there comes a time that it's all going out and
14 nothing's coming back. And we saw an opportunity to
15 do a little development along the interchange, and
16 we've got to put that money toward the road or
17 whatever has to happen. Same way up on the other
18 end, up at Arnie Risen, that part, we already graded
19 all that in anticipation of doing something with it.
20 So that is ready, and that's ready to go.

21 Perhaps if we did something with the
22 signalization up there to make life better for you
23 all, we could develop that corner up there.

24 I'll give you a for instance. We did
25 development in Fort Wright on the Wal-Mart, and if

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1 you followed it at all, you'd know we went through
2 about a three-year battle down there just trying to
3 make everybody happy, and the big thing was traffic,
4 traffic. Well, when we got done with it, if you
5 drive through there today, you'll find that you never
6 have problems, you move there, the traffic moves
7 fine. And on your worst days it moves fine, where
8 before we made all the highway improvements, you
9 couldn't get through there at all. I mean, we left
10 it better than we found it is what I'm saying.

11 But we'd like the opportunity to develop up
12 there on the corner and maybe do a little something
13 down at the interchange.

14 MR. SCROGGINS: Well, and I don't want you to
15 think that I'm opposed to it, because I work right
16 there on Helton Road, and I'd love to have a
17 restaurant to drive up to and have lunch at right
18 there on the corner of the interstate, but traffic is
19 already a nightmare at that intersection, and the
20 road just -- it just can't handle it.

21 MR. CHAIRMAN: Well, in fairness to them, too,
22 we created that problem when that interchange opened.
23 I mean, that road was inadequate to take that traffic
24 when the interchange opened, and I think everybody
25 anticipated improvement over there, and improvement

22

1 will --

2 MR. BERLING: It has to happen.

3 MR. HEIDRICK: If I could say a couple of things

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4 real quick. I think the road's closer than maybe
5 we're making it out to be tonight. You know, about a
6 year ago we had a good series of meetings going with
7 a lot of cooperation with the city, the county judge,
8 our state representative, our state senator and
9 members of the highway department, and everybody was
10 of the mood and of the mind to come together and get
11 the thing funded, but as you all know, the State of
12 Kentucky promptly and abruptly ran completely out of
13 money, and nothing has happened there for the last
14 year. So we're victimized by that.

15 Just think if that had not happened -- and I
16 don't mean -- the state always doesn't have enough
17 money, but if we'd not had this situation of a change
18 of administration, frankly that just kind of slowed
19 everything down for a little while, together with the
20 budget crisis, I think we'd have that road funded and
21 under way. And I think as soon as things level
22 themselves out again, you know, we will be much
23 closer to it.

24 The second thing is that the market has the
25 ability to control both our development and that

23

1 road. You know, the types of users that we are
2 looking to attract for this development are primarily
3 national-driven tenants with sophisticated location
4 experts that aren't about to do a deal with us unless
5 there's adequate traffic access to this site. You
6 know, you're not going to get anybody to take one of
7 those sites in the middle of that road on the current
8 road; it's just not going to happen.

9 So now you're -- but we're faced with the
10 problem that we need to -- you know, we've owned the
11 property for a couple of years and have invested in
12 it and worked through it, and now we need to keep
13 moving forward. Unfortunately, if we've got to wait
14 until the road comes through, you know, we might be
15 here for another year. But during that period, we'd
16 like to continue trying to develop, start to talk to
17 people and advance plans recognizing that nobody's
18 going to sign a deal with us until they know that
19 there's a road there. As Jim says, we might get a
20 few users at the intersection of the expressway, in a
21 few years at Arnie Risen, and maybe somebody next to
22 the library or something, but that's it. Nobody else
23 is going to go there. I guess I'm offering that as a
24 bit of an insurance policy, you know.

25 If that road -- and the other thing that is

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1 worth mentioning is, as Jim said, it's a pretty
2 ambitious plan. If that road was there today and it
3 was done and it was beautiful, you know, I don't know
4 that any of us are going to hazard a guess as to how
5 long it takes to develop everything you see on that
6 map. Mr. Berling told me that my grandkids will
7 thank me for investing in this property. Okay?

8 MR. CHAIRMAN: Do you want to give your comments
9 on this, Jonathan?

10 MR. BRITT: And they may be too numerous to
11 mention. I think we're all in the same mindset. We
12 all want to see this thing done, but we want to see

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13 it done correctly. I think the things that concern
14 me, there's certainly the level of service of the
15 existing roadway, and if we do put traffic generators
16 on the very ends or very tips of these developments,
17 what's that going to do to the level of service on
18 the current roadway?

19 Okay. The other issue that -- and this is not a
20 knock on anything or anybody, but this commission
21 used to see all the site plans that came up here for
22 these developments; they don't do that anymore.
23 That's -- the City of Williamstown handles all of
24 those, so they can't gauge how those are having an
25 impact on that development in that manner.

25

1 You know, again, erosion control, sediment
2 control. You know, these -- we're talking about some
3 big deals and big problems here, guys. You know,
4 these are absolute concerns that in 50 years or 100
5 years they don't look back and say, Chairman
6 Lawrence, you know, why did you approve this, or
7 Mr. Britt, why did you recommend approval? We want
8 to make sure that it's done and done correctly, and I
9 think you all do, too.

10 MR. BERLING: We do, too.

11 MR. BRITT: And I think -- I think even our
12 preliminary discussion I told you up front that
13 that's exactly what we want. We want a safeguard to
14 help have a nice entrance into our community that
15 will be beautiful for many years to come.

16 MR. BERLING: We've got the same intentions.

17 MR. BRITT: And the 6-inch water line, you

18 know, I'm not an expert, but a 6-inch water line
19 doesn't, to me, seem big enough to handle two or
20 three large retail establishments, plus one, two,
21 three, four, five, six, seven, eight, nine, ten,
22 eleven, twelve, thirteen, fourteen, fifteen small
23 establishments, plus provide adequate fire flow.

24 MR. GEHRUM: well, we'd have to build some new
25 lines.

26

1 MR. BERLING: We don't -- we'll build a water
2 main. There's a 10-inch water main up at the corner,
3 that's the one we're looking for, and we'll cross
4 connect it with the 8. I mean, that'll happen. That
5 has to happen. We'll never get the fire flows
6 without it; we know that.

7 And as far as, you know, your hollows and your
8 erosion control and your storm water detention, we
9 plan a large lake-type structure down in the valley;
10 all that will be taken care of. This is just at the
11 early stages, sort of in concept right now, and we
12 didn't provide all that. But I assure you we'll do
13 everything that's required for a good development.
14 And we will have to submit to the EPA with the best
15 management practice and everything else. I mean, we
16 intend to do it right.

17 MR. CHAIRMAN: How far east does the improved
18 road come from the interstate to the interchange
19 right now? Is it -- you said it came to where the
20 first cut is there?

21 MR. BERLING: Yeah, it's -- well, wait a minute.

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22 It comes -- it comes a little past that. It probably
23 goes -- if you see -- take -- count the first four
24 units.

25 MR. CHAIRMAN: Uh-huh (Affirmative).

27

1 MR. BERLING: It's between the fourth and the
2 fifth about to where the underpaving is, but the curb
3 cut that we'd have to use is right there at the end,
4 limited access. In fact, the highway plan shows
5 access on both sides of the road right there.

6 MR. SCROGGINS: The curb cut where the trailer's
7 sitting now, where that semi-trailer is sitting there
8 in that improved section?

9 MR. BERLING: I wouldn't want to say. I don't
10 remember exactly where it's sitting now.

11 MR. BRITT: I think the other big concern is
12 that we do have a lot of government services on this
13 particular roadway.

14 MR. BERLING: Sure.

15 MR. BRITT: Public library, jail, hospital,
16 doctor's office. There is an aesthetic aspect to
17 this development, as I'm sure you're probably aware.
18 We don't want to put up a big, metal building right
19 next to a brand new brick public library. Or that's
20 my feeling.

21 You know, that's some of the concerns that I
22 think that we should have as a commission and as a
23 community as a whole; we want these things to
24 complement those public services that are already in
25 existence on this -- on this road.

28

1 MR. BERLING: Well, like I said, we want to
2 build something we're going to be proud of, too. I
3 mean, we're not going to put a bunch of junk out
4 there. It won't sell, and the next guy won't come if
5 we mess it up. I mean, you'd make a whole lot more
6 money on the top class than you can if you're riding
7 on the bottom of that.

8 MR. WEBSTER: Would you say the water line is
9 10 inches going up the other road?

10 MR. CHAIRMAN: There's a 10-inch going up at
11 Arnie Risen --

12 MR. BERLING: At Arnie Risen there's 10 and
13 there's an 8 --

14 MR. GEHRUM: On Kimberly.

15 MR. BERLING: -- on Kimberly. So if you bring
16 the 10 down and tie it into the 8, you'd help
17 everybody, you know, and that's probably what's going
18 to happen. We'd have to get the hydraulics and
19 everything, so...

20 MR. BREWER: Can I pose a question, please?

21 MR. CHAIRMAN: Yes, sir.

22 MR. BREWER: Sir?

23 MR. BERLING: Yes, sir.

24 MR. BREWER: Do you think that your concern
25 [sic] could make some kind of an agreement that if

29

1 you started out by 75, the first lot -- keep that in
2 your mind, just the first lot -- somebody come along
3 and wanted to buy it, and as you said you want to

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4 sell it to get some money to do some other things,
5 and I understand that. But could there be an
6 agreement as you sold these lots, you would build the
7 road in front of that lot? And I think that's what
8 Danny's getting at. And in my opinion, each lot that
9 you sold that you built the road in front of, it's
10 that much that the taxpayers are not going to have to
11 do.

12 MR. CHAIRMAN: I see your point, but I think
13 that would just create a worse bottleneck, you know,
14 coming off of Barnes Road.

15 MR. BREWER: Well, you just go out and put a --
16 it's a two-lane or it's a three-lane, but you're
17 getting something that, under this time right now,
18 you might not get nothing. I'd rather have something
19 than nothing.

20 MR. BERLING: I would agree to that.

21 MR. BREWER: Thank you, sir. That would make
22 that lot more sellable I would think.

23 MR. BERLING: Starting from the interstate?

24 MR. BREWER: Or on this end out here at -- by
25 the library, either. If somebody come along and

30

1 wanted that corner lot, some kind of an agreement
2 made with either the city or the planning and zoning,
3 that is that lot was sold, you would build --
4 construct the road properly to the requirements in
5 front of it.

6 MR. BERLING: Okay. I don't want to get into
7 too much detail, but if you all will look at your map
8 for a minute, I'll show you a problem I've got on the

9 end of that road. See that little dogleg right there
10 in front of the library? I've got a straight line
11 shown. I covered that up because I didn't want to
12 anticipate that that road was going to be over on
13 that piece of property across the street, but my
14 design anticipates that that old Barnes Road would go
15 straight ahead.

16 If you take the main part of Barnes Road that
17 goes straight ahead and hits right at the
18 intersection, I think that dogleg needs to come out
19 of Barnes Road. If somebody's going to spend that
20 much money and put a three-lane road in, I can't see
21 rebuilding it and then doing that jog going around
22 the library. So I mean, I can understand what you're
23 saying coming from the other way, and I'll be glad to
24 do something up there, but I really hesitate to
25 rebuild that into a three-lane road knowing that the

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1 state's going to wipe her out, and, you know --

2 MR. BREWER: Sure.

3 MR. BERLING: I would do turn lanes and I would
4 do decels, and I'd do all those kind of things if we
5 had something happen. We're all -- we're
6 anticipating stuff. I haven't got a buyer, you know.
7 We're just talking about what we're going to walk
8 away from here with is what I was asking, that's all.
9 And whatever you all come up with, we're going to
10 live with it, so...

11 MR. BRITT: I think what I'm most concerned
12 about, and I think the biggest traffic concern that I

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13 have, is the U.S. 25, Arnie Risen, Barnes Road
14 railroad track. That's my biggest concern.
15 MR. BERLING: I read that in your preliminary
16 report.
17 MR. BRITT: Yeah.
18 MR. BERLING: And I talked to Jack about it, and
19 he thinks he's got a solution. So I feel -- I'd be
20 real happy if we can make it better than what it is.
21 MR. BRITT: well, I asked that same question to
22 some gentlemen from the State Transportation
23 Department, and they told me that two lights wouldn't
24 work. So I -- that's -- you know, let's do a
25 turnabout. Apparently those are popular now. But,

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1 no, I mean --
2 MR. BERLING: I don't think we can do that
3 there.
4 MR. BRITT: No, that is the greatest concern.
5 I think we have a great fear -- or I have a great
6 fear that the amount of traffic is going to increase
7 the likelihood of someone getting seriously harmed
8 crossing those tracks.
9 MR. HEIDRICK: why don't we go to work on that?
10 MR. BERLING: why don't we do a study for you,
11 showing you what can be done there.
12 MR. BRITT: I would love that.
13 MR. BERLING: We'll let Mr. Gehrum come up with
14 a design and talk to the highway department, maybe
15 something can be done. Got to start someplace.
16 MR. BRITT: well, again, I think we all want --
17 we all want to get to the same end. It's just the

18 means by which we get there.

19 MR. SCROGGINS: Jonathan, whether it's now or
20 whether it's 50 years from now, unless you can talk
21 Norfolk Southern into moving that railroad track,
22 you're going to have to deal with that issue with
23 cars coming off of the Barnes Road interchange. I
24 mean, it's not going to change -- I mean, they're not
25 going to move that railroad track. So either we

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1 tunnel under it, put a bridge over it, or we don't
2 use Barnes Road. I mean --

3 MR. BRITT: Or it's close the interchange. But
4 again, the railroad was here before dirt was
5 invented. So that's just how they are.

6 MR. BERLING: But you're going to get a lot more
7 traffic off that Barnes Road interchange than we're
8 going to generate. I mean, it's going to be a real
9 popular interchange. So I mean, the problem is here
10 without us. If we can --

11 MR. BRITT: I agree with that.

12 MR. BERLING: -- cooperate and help solve it,
13 then so much the better, that's all.

14 MR. SCROGGINS: I like the concept. I'd like to
15 see a little bit more concrete data on how you're
16 going to go about getting the road built, because I
17 think that -- I understand that there's a significant
18 amount of money invested, and I understand that
19 you're wanting to move forward on it, and I don't
20 have a problem with the zone. But I want to see
21 something concrete on what are you going to do to get

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22 this road built, because none of this flies until
23 that road's built. I mean, it can't. There's --
24 there is not capacity. And like -- like you said,
25 who's going to build? who's going to buy and build

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1 on a one-and-a-half-lane road?
2 MR. HEIDRICK: At least not in the middle.
3 MR. SCROGGINS: At least not in the middle.
4 You're right. I mean, and if we're wanting to
5 develop the whole thing, then -- then we've got to
6 see something. You know, and Grant County isn't
7 Kenton County, and it's not Boone County. The county
8 fiscal court does not have the money to throw around
9 and build roads at the drop of a hat. I mean, this
10 is going to have to be state funded almost entirely,
11 state and private. I mean, there's just not enough
12 tax base here yet.
13 MR. BERLING: This would help get some here.
14 This would help get your big tax base.
15 MR. HEIDRICK: We obviously have a vested
16 interest in seeing that road completed, you know.
17 And at the same time even if that property we're
18 discussing tonight stayed undeveloped, the road still
19 needs to be approved, you know. So it is an effort
20 that everybody in the community needs to get behind,
21 and I think everybody is, like I said, like-minded.
22 MR. SCROGGINS: Well, I think it's generous of
23 you all to offer part of your property as part of the
24 road now. I mean, that's something that a lot of
25 property owners wouldn't do.

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1 MR. BERLING: The biggest job was to build the
2 embankments to get a straight line through there so
3 you didn't have to go wandering around like the other
4 one does. You know, we gave up a lot of property and
5 spent a lot of money putting the dirt in.

6 MR. CHAIRMAN: How does the commission feel
7 about the first little section down there next to the
8 interstate that's already usable? I mean, it's
9 already as good as it's going to be. I mean, do you
10 think -- what's your feelings on that? That makes
11 sense to me that they could -- that they could do
12 that now. That's just my own personal opinion.

13 MR. BRITT: I'm not sure that we could
14 conditionally approve X number of acres out of there,
15 X number of lots. You're going to have to set
16 conditions based on the entire 60-something --
17 70-something acres, and we could do that.

18 MR. CHAIRMAN: Yeah, you could.

19 MR. BRITT: Again, that concerns me, but I
20 think I could live with that, as long as we had some
21 other safeguards, access management, you know.

22 MR. WEBSTER: If we can solve the road problem,
23 I don't see any use in nickle/diming it to death, Mr.
24 Chairman, to answer your question.

25 MR. CHAIRMAN: I agree with you. I mean, that's

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1 the idea; we'd like to do that. I was just thinking
2 maybe put some money in his pocket, he could solve
3 part of the road problem, I guess, is what I was

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4 thinking.

5 MR. BRITT: Well, from my understanding,

6 there's approximately 750,000 in the state budget if

7 they pass one this year for this roadway.

8 MR. BERLING: I don't know. I hear that, but I

9 haven't been privileged to that.

10 MR. HEIDRICK: You had that conversation with

11 Royce, right?

12 MR. BRITT: Yes. You know, and that would be

13 about half of what was needed. So the other half

14 would hopefully come from you all or from some other

15 government body.

16 MR. HEIDRICK: Of all the stakeholders in the

17 road project, how's that sound?

18 MR. BRITT: That sounds good.

19 MR. HEIDRICK: Let's not let St. E's off the

20 hook.

21 MR. CHAIRMAN: Who should solve the dogleg

22 problem down there? I mean, who -- I wonder who

23 should be -- is that the highway department, or who

24 should be working on that? You know, what you're

25 talking about, taking that little --

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1 MR. BERLING: Well, that was on the plan I sent

2 them. You know, they've got a plan showing it's

3 going straight ahead.

4 MR. CHAIRMAN: Oh, okay.

5 MR. BERLING: We've got -- we were in Frankfort

6 talking about it the other day. We just keep pushing

7 it. But if it's going to be rebuilt, it's going to

8 be three lanes, it needs to be a straight line; you

9 don't want that dogleg in there.

10 MR. BRITT: I think certainly the library in
11 there should be very involved in that, because I
12 think they would be very willing to sit down and at
13 least discuss that with you since they, looks like,
14 own that particular piece of property.

15 MR. BERLING: That road alignment was set for
16 their entrance, so that we didn't mess up what
17 they've done already. For a line and grade both, we
18 match what they've done. You know, so I mean, we
19 want to be a good neighbor; we don't want to give
20 them a hard time, you know.

21 MR. HEIDRICK: Well, the reason we were hesitant
22 to show that on the drawing is all the rest of the
23 new roadbeds we currently own, so we're comfortable
24 showing that as a future road. On the other side of
25 the library, I believe that that is the fiscal

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1 court's property, and we weren't volunteering fiscal
2 court to give up their property, and that's why Jim's
3 hesitant to show it that way.

4 MR. BERLING: We graded that site up there a
5 year ago. We would like to be able to do something
6 with it. Like I say, we could -- if we can help you
7 with that intersection, maybe we could do something
8 up there. It's a difficult motion, I understand
9 that, but you -- I guess we've kind of explored it as
10 hard as we can.

11 MR. BRITT: I mean, particularly around the
12 public library, would you be willing to put some -- a

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13 condition on maybe type of structure or percentage of
14 exterior -- exterior material? That's hard to say.

15 MR. BERLING: Oh, we don't want to get into
16 materials right now. We're so early on in this thing
17 I think that's -- I don't think that's a true value
18 of what the end product's going to be. I mean --

19 MR. HEIDRICK: I think we appreciate your
20 concern and want to be good neighbors to the library
21 and to everybody else on that road and want to have a
22 quality development, but to do a real quick kind of
23 it's going to be brick or it's going to be this or
24 it's going to be that, you know, it really doesn't, I
25 don't think -- it might make some people feel better,

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1 but it certainly doesn't solve the concern. The
2 concern really comes to -- from the developer
3 interested in developing a first-class project so
4 that he can get the highest rent or the highest lot
5 prices, and to do that we've got to have coordinated
6 artistic -- you know, architecturally and
7 aesthetically pleasing projects.

8 MR. BERLING: Let me tell you the last two we
9 did. It was Union Village in Union, Kentucky where
10 the Kroger's store is. We think that's very
11 pleasing. It's all compatible with one another. And
12 the stores done in Fort Wright, they all ended up
13 real nice. But we want to do a nice job; we don't
14 want a hodgepodge.

15 MR. BRITT: But, you know, in theory I could
16 win the lottery tomorrow, or Wednesday night and buy
17 this from you and turn it into whatever I wanted to.

18 You know, I've got the zoning. You know, and I think
19 that's the fear is that you all may not own it
20 forever, or that you all may not develop all of it
21 and that it will be a hodgepodge of, you know, X, Y,
22 Z, A through whatever, and it won't be a consistent
23 first-class development that the entire community can
24 see as a benefit.

25 MR. HEIDRICK: I -- this project will go through

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1 a series of additional reviews.

2 MR. CHAIRMAN: Come up there to the mic, if you
3 would.

4 MR. HEIDRICK: I'm sorry. I just want to
5 mention, this project will go through an awful lot of
6 additional reviews. As Jim mentioned, just the
7 engineering work, the storm water retention, the soil
8 erosion, you know, reviews and approvals and people
9 that have the ability to affect it similarly, the
10 detailed site plans of this project are going to go
11 through reviews, the architectural drawing's going to
12 go through reviews, not only amongst governmental
13 agencies, the city council, the planning -- the
14 building department here in the county, things like
15 this, but also it goes through a market review. And
16 market is the best judge, I find, for what -- you
17 know, we do have an opportunity, you know, to do this
18 intersection and the entire road a lot nicer than
19 others that we've, you know, have anywhere in the
20 State of Kentucky.

21 I mean, you know, we've seen good ones, we've

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22 seen bad ones. The track record -- I can't say that
23 I've got a track record in this business; Mr. Berling
24 does, and Mr. Zalla does, our other partner's not
25 here tonight, they've developed good projects. Jim

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1 mentioned Union, Fort Wright shops, Triple Crown
2 Developers. If there was ever a project that was
3 coordinated from beginning to end, it's Triple Crown,
4 and that's the same team that's, you know, here doing
5 this one. We're not looking to do -- this is not a
6 project we bought to sell off five lots and go home.
7 My grandkids may still be selling lots here someday,
8 so...

9 MR. CHAIRMAN: Does the commission have any more
10 questions or discussion?

11 MR. BREWER: Mr. Chairman, back to the original
12 question, are they here tonight just to have the
13 zoning changed as the first step?

14 MR. BRITT: Yes, Mr. Brewer.

15 MR. BREWER: Thank you.

16 MR. CHAIRMAN: With that zone change would come
17 the ability to go ahead and develop, though.

18 MR. BREWER: Yeah, but if they're going to build
19 anything, that would have to go before our building
20 inspector. We would have to submit a plat on each
21 individual building if they're going to put up two.

22 MR. BRITT: I believe they have to submit a
23 site plan to the city administrator.

24 MR. BREWER: Yeah. Yeah, that's right.

25 MR. MARKSBERRY: I make a motion to approve it

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1 based on the fact -- on the findings of fact, and the
2 fact that they would have to submit a plat for each
3 individual building that was going up for approval so
4 what we can see about the traffic flow is doing as it
5 develops.

6 MR. BREWER: I second it.

7 MR. BRITT: But now we won't see it, as a
8 commission.

9 MR. BERLING: Right.

10 MR. CHAIRMAN: And that's with you not
11 addressing the road issue at all in with that motion;
12 is that my understanding?

13 MR. NIENABER: Mr. Chairman?

14 MR. CHAIRMAN: Yes, sir.

15 MR. NIENABER: As I understand Mr. Berling and
16 Mr. Heidrick, your traffic analysis has a number of
17 different land uses identified and approximate square
18 footages.

19 MR. BERLING: Yes.

20 MR. NIENABER: And that is reflected on your
21 concept development plan that you are --

22 MR. BERLING: He took it off the plan.

23 MR. NIENABER: Please?

24 MR. BERLING: He took those numbers from the
25 plan by scaling them.

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1 MR. NIENABER: So then your application is
2 requesting the highway commercial with this, and I
3 understand it's not exact and it may vary somewhat in

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4 terms of square footage, land use, or something, but
5 this is basically what you are seeking to build on
6 this acreage, correct?

7 MR. BERLING: We're seeking to build the plan as
8 you see there. Mr. Gehrum took those numbers off of
9 the plan in order to do the study. At this point,
10 that's what we anticipate, but that is a lot to show.
11 I mean, that's the scheme.

12 MR. NIENABER: I understand.

13 MR. BERLING: With the major commercial in the
14 back, and the outlots in the front with joint access,
15 that's the theme that we want to project.

16 MR. NIENABER: But you are basically agreeing,
17 then, that if you were granted a zone change or if
18 the recommendation is for approval of your zone
19 change, that that is essentially within reason that
20 that's what you're going to build and how it's going
21 to develop.

22 MR. BERLING: Right. But as I pointed out, we
23 anticipated that there was a, you know, third user
24 back on the ridge that we don't even show there, but
25 it would be similar to the first two, and I wanted to

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1 get that on there so I didn't have any
2 misunderstanding.

3 MR. NIENABER: So that's future -- the area
4 identified as future commercial development?

5 MR. BERLING: Right.

6 MR. NIENABER: And when you say you are looking
7 to develop that for retail, is it --

8 MR. BERLING: Probably similar to those two lots
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9 that sold out.

10 MR. NIENABER: Okay. Maybe another rectangular
11 lot with --

12 MR. BERLING: Yeah.

13 MR. NIENABER: Okay. So another 40,000 square
14 feet or something.

15 MR. BERLING: I don't know --

16 MR. NIENABER: I think that one was 40.

17 MR. GEHRUM: It might be 40, it might be 60.

18 MR. NIENABER: Okay. But roughly. Then total
19 approximately 300,000 square feet of total build-out.

20 MR. BERLING: Approximately. But again this is
21 the concept level, but you have to start somewhere.

22 MR. NIENABER: Right. Okay.

23 MR. BRITT: Yeah, I mean, I think that's --
24 that's always going to be the concern is how do we
25 manage the future development of that other large

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1 parcel or, you know, and big-box outlets. You know,
2 that's a screen that every planner yells is about
3 big-box outlets. You know, how do we manage those?
4 How do we manage their traffic? How do we manage all
5 the things that we've talked about?

6 MR. BERLING: Well, we will take this -- we will
7 take this to two more levels of refinement as far as
8 engineering drawings and traffic patterns, et cetera,
9 so I mean that --

10 MR. SCROGGINS: I think Jonathan -- I think
11 Jonathan's concern is when we say yes, we don't see
12 you again; we're done. You know, if we say that

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13 we're changing this zone from Ag-1 to Highway
14 Commercial, the planning and zoning commission has --
15 I mean, we'll never see it again. It'll be, you
16 know, your good faith and, you know, the due
17 diligence of the city. And I -- you know, we trust
18 the city, but, you know, if we go through here and
19 you all start building and don't fix the road, I
20 mean, you've got a nightmare on your hands.
21 MR. BERLING: And we don't want that.
22 MR. SCROGGINS: Neither do we.
23 MR. BERLING: No. The city -- we will work as
24 close to the city as we can. I mean, that -- this
25 thing will work or we will be back to see you. If we

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1 subdivide the lots and do those type of things, we
2 won't -- for out sales, don't you -- don't that come
3 through here?
4 MR. BRITT: Subdivision of property, as long as
5 you have existing road frontage, doesn't have to come
6 back through us, no. It comes back to me, but all I
7 do is sign the plat.
8 MR. BERLING: Okay. Well, I guess we agree with
9 everything you're saying, I guess.
10 MR. BRITT: I think everybody has the same
11 intent. You know, I think everybody's -- I think
12 what we're most concerned with is -- is the middle.
13 MR. BERLING: We'd like to develop the property.
14 We tried to do it as orderly as we could based on the
15 topography. I mean, when we left the rest of it go,
16 it's just -- it's just beyond development. I mean,
17 like the chairman said before, some property wasn't

18 meant to be developed.

19 MR. CHAIRMAN: Bill, I'd ask you to restate
20 your -- restate your motion with the finding of facts
21 included in it.

22 MR. MARKSBERRY: With the finding of facts.

23 MR. CHAIRMAN: And those are?

24 MR. MARKSBERRY: Simply have to submit a plat
25 for each development, each individual building so we

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1 can control it.

2 MR. CHAIRMAN: Yes, but are you\to\too\two
3 saying that it should be rezoned because by the
4 nature of the area is changed out there to warrant
5 highway commercial rather than --

6 MR. MARKSBERRY: Yeah.

7 MR. CHAIRMAN: Okay. Just kind of say that in
8 your motion, if you don't mind, so she can get it on
9 tape over there and everything. You're making the
10 motion based on the findings of fact that the area
11 has changed and it's no longer in compliance with the
12 comprehensive plan. Okay. Is that the motion you're
13 seconding, Mr. Brewer?

14 MR. BREWER: It sure ain't agriculture now, so
15 you've got to change it to something.

16 MR. CHAIRMAN: Sure ain't agriculture. Did you
17 get that? We have a motion and a second. Any
18 further discussion on this?

19 MR. BREWER: Is there any -- I don't want to
20 beat a dead horse to death, but is there any legal
21 kind of jargon we can put in there to encourage the

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22 city and the state and the developer to start having
23 some -- some straightening development plans?
24 MR. NIENABER: Now, as far as -- Mr.
25 Commissioner, as far as putting pressure on the state

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1 or anything with the motion from this board, I'm sure
2 they hear that all the time from --

3 MR. CHAIRMAN: We could all take our cell phones
4 and call them.

5 MR. NIENABER: We've got 120 counties in the
6 state, and I think there's probably 100 planning
7 commissions, and they probably hear that every day,
8 and they probably would give as much credence to our
9 request as they do those others. So as far as that
10 goes, there's not a lot you can do, other than
11 outside the forum. This forum here you can
12 definitely put pressure on the state and any other
13 agency of the state that you can think of to try and
14 generate the funds to build the road. But Mr.
15 Heidrick and Mr. Berling said it, I guess, that all
16 too often, and unfortunately in Kentucky and
17 everywhere for that matter, the roads don't come
18 until the development's there. It's, you know, build
19 the development, and then the roads come, as opposed
20 to build the roads and then the development comes, so
21 with that said...

22 MR. BRITT: Chicken and the egg.

23 MR. NIENABER: Yeah.

24 MR. CHAIRMAN: We have a motion to second it.
25 Any further discussion on it?

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1 MR. BREWER: Mr. Chairman, do we have the right
2 to ask the mayor of Williamstown to step up there and
3 make his comment?

4 MR. CHAIRMAN: No, he missed his opportunity,
5 but he'll be glad to talk to you about it.

6 MR. BREWER: He's hoarse he said.

7 MR. CHAIRMAN: Any further discussion or
8 questions on it?

9 (NO RESPONSE)

10 MR. CHAIRMAN: Seeing none, all in favor to
11 change the zone change to Highway Commercial signify
12 by -- let's have a roll call on it, Becky, if you
13 don't mind.

14 MS. RUHOLL: Vernon Webster?

15 MR. WEBSTER: Yes.

16 MS. RUHOLL: Nick Kinman?

17 MR. KINMAN: Yes.

18 MS. RUHOLL: Bill Marksberry?

19 MR. MARKSBERRY: Yes.

20 MS. RUHOLL: Nancy Duley?

21 MS. DULEY: Yes.

22 MS. RUHOLL: Dan Scroggins?

23 MR. SCROGGINS: Yes.

24 MS. RUHOLL: William Covington?

25 MR. COVINGTON: Yes.

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1 MS. RUHOLL: Howard Brewer?

2 MR. BREWER: Yes.

3 MS. RUHOLL: Marlon Kinsey?

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4 MR. KINSEY: Yes.
5 MS. RUHOLL: Rick Dalton?
6 MR. DALTON: Yes.
7 MR. CHAIRMAN: We'll pass that on to the City of
8 Williamstown for their blessing, and with a little
9 luck we'll see you. We'll take about a five-minute
10 break before we start this next one.
11 (THEREUPON, A BREAK IS TAKEN)
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13 * * * * *
14 THEREUPON, the Public Hearing was adjourned.
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1 COMMONWEALTH OF KENTUCKY)
2 STATE-AT-LARGE)
3 I, Sheri A. McKinley,
4 Kentucky-Certified Court Reporter and Registered
5 Professional Reporter and Notary Public in and for the
6 State of Kentucky at Large, certify that the facts
7 stated in the caption hereto are true; that I am
8 neither a party or relative to said action; that said

9 proceeding was taken down by me in stenotype and later
10 reduced to computer-aided transcription, and the
11 foregoing is a true record of the Hearing.

12 My commission expires: May 25, 2006.

13 IN TESTIMONY WHEREOF, I have hereunto
14 set my hand and seal of office on this the 21st day of
15 February, 2005.

16

17 _____
18 Sheri A. McKinley, CCR, RPR
19 Notary Public-State at Large
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